

REMARKS

Claims 1-10 are pending. By this Amendment, claims 1, 7 and 10 are amended.

Claim 1 is amended to delete "releasable" to describe the engagement of the stacking adaptor plant with the container portion.

Claim 7 is amended to depend from claim 6, in stead of claim 4.

As suggested by the Office Action, claim 10 is amended to recite "a first part of a kinematic coupling" in place of "one part of a kinematic coupling" and to recite "a second part of said kinematic coupling which is different from the first part and which cooperates with the first part" to correct asserted antecedent basis for kinematic coupling parts.

No new matter has been added by the amendments to the pending claims.

35 U.S.C. § 112

Claim 10 is rejected under 35 USC § 112, ¶ 2 as indefinite, the rejection asserting "said two parts of kinematic coupling" in the last two lines of the claim has insufficient basis. Applicant has amended claim 10 as suggested by the Office Action and respectfully submits that claim 10 is no longer indefinite in view of the amendments thereto. Therefore, reconsideration and withdrawal of this rejection is respectfully requested.

35 U.S.C. §§ 102 and 103

Claims 1, 4, 6, and 8-10 are rejected under 35 USC § 102(e) as anticipated by U.S. Patent 6,382,419 to Fujimori et al. ("US 419"). Applicant respectfully traverses this rejection. The Office Action refers to "a stacking adaptor plate (14)" asserted as

disclosed in US 419, apparently as equivalent to the "stacking adaptor plate" recited in claims 1, 4, 6, and 10. Claim 1 recites the "stacking adaptor plate for engagement with the ... receptacle portion" and "a receptacle portion on the top of the container portion." Claim 4 recites "the stacking plate adapted to fit on the top of the wafer container." Claim 6 recites "an adaptor plate conformed to engage with the top of the wafer container." Claim 10 recites "a stacking adaptor plate at the top of the wafer container." By contrast the "bottom plate 14" of US 419 is disclosed as being engaged with V-grooves on the bottom surface of box body 1.<sup>1</sup> Indeed there is no disclosure or suggestion that the "bottom plate 14" can engage any surface on the top of the box body 1 of US 419. To this end, Applicant respectfully submits that the foregoing limitations in pending independent claims 1, 4, 6, and 10 are not contained in US 419. Therefore, independent claims 1, 4, 6, and 10 are not anticipated by US 419 because "the elements are not arranged as required by the claim."<sup>2</sup> With respect to claim 10, the rejection relies on "rotat[ing] the container shown in Fig. 2 so that the top becomes the bottom." However, in the context of the pending claims, the top cannot become the bottom because the box robotic flange must be atop the box because overhead hoist transportation requires that the wafer container box is held at the robotic flange and the container box is transported by lifting by utilizing a pair of bottom rails provided on the bottom surface of

<sup>1</sup> See, US 419, column 9, line 56 *et seq.* ("As is illustrated in FIGS. 2 and 4, the bottom plate 14 has a generally Y-shaped configuration and has three approximately oval guide members 15 integrally shaped on the two front side positions and a center rear position each to fit and to be engaged with one of the V-grooves 4 on the bottom of the box body 1.") (emphasis added).

<sup>2</sup> See, MPEP § 2131 ("A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." Verdegal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). ... "The identical invention must be shown in as complete detail as is contained in the ... claim." Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). The elements must be arranged as required by the claim, but this is not an ipseissimis verbis test, i.e., identity of terminology is not required. In re Bond, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990).") (emphasis added).

the container box. For either of the foregoing functions the box must be oriented as depicted in US 419. Therefore and in addition to the requirements for anticipation, the box would not be operative if rotated and a person of ordinary skill in the art would not recognize the asserted inherency of doing so.<sup>3</sup> Applicant respectfully submits that none of the foregoing independent claims are anticipated by US 419. Because none of the foregoing independent claims are anticipated by US 419 and because the other rejected claims depend directly or indirectly from the rejected independent claims, Applicant submits that none of the rejected claims are anticipated. To this end, reconsideration and withdrawal of this rejection is respectfully requested.

Claims 4, 5, and 7 are rejected under 35 USC § 102(b) as anticipated by U.S. Patent 6,006,919 to Betsuyaku ("US 919"). The rejection admits that the "adaptor plate 15" (bottom plate 15) only couples to the bottom of the container body 1A, but states that "the containers (1A, see Fig. 7) each [have] a top and a bottom with a kinematic coupling (both the flat surfaces of the top since the container may be inverted and the positioning means 4 and positioning ribs 5 on the bottom are inherently capable of being a kinematic coupling since suction cups or adhesive materials can attach to a flat surface) thereon, the adaptor plate is adapted to fit on the top of the wafer container (both when inverted and

<sup>3</sup> See, US 419, column 2, line 51 et seq. ("In the current manufacturing process of semiconductor devices, proposals are made for preventing contamination of wafer container boxes by means of automatic transportation of the wafer container boxes in place of conventional manual transportation by the workers. The actual methods for the automatic transportation of wafer container boxes include the OHT (overhead hoist transportation) method in which the wafer container box is held at the robotic flange supported the flat plate 30 can be provided with one or more of fixing holes 33 in the areas excepting the end portions guide rail, AGV (automated guided vehicle) method in which the container box is transported under lifting by utilizing a pair of bottom rails provided on the bottom surface of the container box or a pair of side rails protruded out of the opposite side walls of the container box and PGV (person-guided vehicle) method. Besides, a method called the RGV (rail guided vehicle) method is known in which the mechanism for transportation of the wafer contained in the box is something resembling a monorail way.").

when in the upright configuration shown in Fig. 7 since the plate is inherently capable of being removed from the bottom and another adaptor can be used to attach the plate to the top through the use of suction cups or adhesive to facilitate stacking of the wafer containers." Applicant respectfully traverses this rejection. As shown above, US 919 does not meet the legal requirements for anticipation because the elements are not arranged as required in the claim.<sup>4</sup> Moreover, there is no overt or inherent disclosure suggesting inverting the container disclosed in US 919. Indeed, inversion would be unlikely because the utility of fixing the container body 1A onto a stage 13 of an automatic machine 12 would be dubious. Moreover, in this technology, inversion would not be considered for the reasons stated above with respect to the first anticipation rejection. Additionally there is no suggestion that the bottom plate 15 could be attached to the top of the container 1A with suction cups or adhesive materials or that a person of ordinary skill in the art would consider doing so. Hence, Applicant submits that attachment using suction cups or adhesive materials is not inherent. Because all of the claims elements are not disposed as recited in claims 4, 5, and 7, Applicant respectfully submits that these claims are not anticipated by US 919 and respectfully requests reconsideration and withdrawal of the rejection.

Claims 2 and 3 are rejected under 35 USC § 103(a) as obvious over US 419 in view of U.S. 919. Because none of US 419 or US 919 discloses or suggests the limitations discussed above with respect to the anticipation rejections, Applicant

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<sup>4</sup> See, e.g., US 919, column 11, line 36 et seq. ("FIGS. 7 and 8 show a second embodiment of the invention. In this case, a container body 1A called pod has a detachable bottom plate 15 positioned on the undersurface thereof. The bottom plate 15 is used to position and fix container body 1A onto a stage 13 of an automatic machine 12.").

respectfully submits that claims 2 and 3 are not obvious over the combination of these references and requests reconsideration and withdrawal of the rejection.

In view of the foregoing, it is submitted that this application is in condition for allowance. Favorable consideration and prompt allowance of the application are respectfully requested.

The Examiner is invited to telephone the undersigned if the Examiner believes it would be useful to advance prosecution.

Respectfully submitted,

  
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